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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIF.
LOS ANGELES

FILED
(A)

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

February 2008 Grand Jury

CR08-0055

11 UNITED STATES OF AMERICA,) CR No. 08-
12 Plaintiff,) I N D I C T M E N T
13 v.) [21 U.S.C. § 846: Conspiracy to
14 SHUNTA MONTGOMERY,) Distribute Cocaine Base in the
aka "Squirrel,") Form of Crack Cocaine; 21 U.S.C.
15 DONYEAS TOBIAS,) §§ 841(a)(1), (b)(1)(A)(iii),
aka "Yea-Yo," and) (b)(1)(B)(iii): Distribution of
16 DION DAVIS,) Cocaine Base in the Form of
Crack Cocaine]
17 Defendants.)
18 _____)

The Grand Jury charges:

COUNT ONE

[21 U.S.C. § 846]

A. OBJECT OF THE CONSPIRACY

Beginning from at least on or about February 25, 2008, and continuing to at least on or about April 1, 2008, in Los Angeles County, within the Central District of California, defendants SHUNTA MONTGOMERY, also known as "Squirrel" ("MONTGOMERY"), DONYEAS TOBIAS, also known as "Yea-Yo" ("TOBIAS"), and DION DAVIS ("DAVIS"), and others known and unknown to the Grand Jury,

1 knowingly and intentionally conspired and agreed with each other
2 to distribute 50 grams or more of a mixture or substance
3 containing cocaine base in the form of crack cocaine ("crack
4 cocaine"), a schedule II narcotic drug controlled substance, in
5 violation of Title 21, United States Code, Sections 841(a)(1) and
6 (b)(1)(A)(iii).

7 B. MEANS BY WHICH THE OBJECT OF THE CONSPIRACY WAS TO BE
ACCOMPLISHED

8 The object of the conspiracy was to be accomplished in
9 substance as follows:

10 1. Defendant MONTGOMERY would negotiate with prospective
11 buyers to sell crack cocaine for a certain price, and would
12 arrange to deliver the crack cocaine to the prospective buyers.

13 2. Defendants TOBIAS and DAVIS would supply crack cocaine
14 to defendant MONTGOMERY for distribution to prospective buyers.

15 3. Defendants TOBIAS and DAVIS would transport and deliver
16 crack cocaine to prospective buyers.

17 4. Defendants MONTGOMERY, TOBIAS, and DAVIS would accept
18 payment for the crack cocaine from the buyers.

19 5. Defendant MONTGOMERY would also accept payment from the
20 buyers for brokering the crack cocaine transactions.

21 C. OVERT ACTS

22 In furtherance of the conspiracy and to accomplish the
23 object of the conspiracy, defendants MONTGOMERY, TOBIAS, and
24 DAVIS, and others known and unknown to the Grand Jury, committed
25 various overt acts on or about the following dates, within the
26 Central District of California, including, but not limited to,
27 the following:

1 1. On or about February 25, 2008, defendant MONTGOMERY
2 offered to sell crack cocaine to a Bureau of Alcohol, Tobacco,
3 Firearms and Explosives Confidential Informant ("CI").

4 2. On or about February 25, 2008, defendant MONTGOMERY and
5 the CI drove to defendant MONTGOMERY's residence on Louise Street
6 in Long Beach, California.

7 3. On or about February 25, 2008, defendant MONTGOMERY
8 sold the CI approximately .62 grams of crack cocaine inside of
9 the CI's car for \$50.

10 4. On or about February 25, 2008, defendant MONTGOMERY
11 offered to sell the CI additional crack cocaine in the future.

12 5. On or about March 6, 2008, defendant MONTGOMERY agreed
13 to sell the CI one ounce of crack cocaine.

14 6. On or about March 6, 2008, defendant DAVIS drove to
15 defendant MONTGOMERY's residence to deliver the crack cocaine to
16 defendant MONTGOMERY that defendant MONTGOMERY had agreed to sell
17 to the CI.

18 7. On or about March 6, 2008, the CI paid defendant
19 MONTGOMERY \$600 for the crack cocaine.

20 8. On or about March 6, 2008, defendant MONTGOMERY
21 delivered approximately 27.2 grams of crack cocaine to the CI in
22 the CI's car.

23 9. On or about March 6, 2008, the CI paid defendant
24 MONTGOMERY \$40 for brokering the crack cocaine transaction with
25 defendant DAVIS that day.

26 10. On or about March 12, 2008, defendant MONTGOMERY met
27 with the CI at a barber shop in Long Beach, California, and
28 agreed to sell the CI crack cocaine.

1 11. On or about March 12, 2008, defendant MONTGOMERY
2 directed the CI to drive to a residence on North Holly Avenue in
3 Compton, California (the "North Holly Avenue Residence").

4 12. On or about March 12, 2008, defendant MONTGOMERY went
5 into the North Holly Avenue Residence and upon his return, told
6 the CI that the price for two and a half ounces of crack cocaine
7 was \$1475.

8 13. On or about March 12, 2008, the CI paid defendant
9 MONTGOMERY \$1480 and defendant MONTGOMERY retrieved the crack
10 cocaine from inside of the North Holly Avenue Residence.

11 14. On or about March 12, 2008, defendant MONTGOMERY
12 delivered approximately 68.6 grams of crack cocaine to the CI in
13 the CI's vehicle.

14 15. On or about March 12, 2008, the CI paid defendant
15 MONTGOMERY \$20 for brokering the crack cocaine transaction that
16 day.

17 16. On or about March 18, 2008, defendant MONTGOMERY spoke
18 with the CI on the telephone and agreed to sell the CI crack
19 cocaine.

20 17. On or about March 18, 2008, defendant MONTGOMERY
21 directed the CI to drive to the North Holly Avenue Residence.

22 18. On or about March 18, 2008, defendants MONTGOMERY and
23 TOBIAS sold the CI approximately 83.7 grams of crack cocaine
24 inside of the CI's vehicle for \$1800.

25 19. On or about March 18, 2008, defendant TOBIAS told the
26 CI that the CI could return the crack cocaine if the CI did not
27 like it.

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1 20. On or about March 18, 2008, the CI paid defendant
2 MONTGOMERY \$200 for brokering the crack cocaine transaction with
3 defendant TOBIAS that day.

4 21. On or about March 19, 2008, defendant TOBIAS spoke with
5 the CI on the telephone and agreed to sell him crack cocaine.

6 22. On or about March 19, 2008, defendant TOBIAS instructed
7 the CI to meet him at the North Holly Avenue Residence.

8 23. On or about March 19, 2008, defendant TOBIAS met with
9 the CI on North Holly Avenue in Compton, California, and
10 defendant TOBIAS sold the CI approximately 41.4 grams of crack
11 cocaine for \$900.

12 24. On or about March 25, 2008, defendant MONTGOMERY
13 contacted the CI and told him that defendant DAVIS had three
14 ounces of crack cocaine available for sale.

15 25. On or about March 25, 2008, defendant MONTGOMERY met
16 with the CI and directed the CI to drive to the parking lot of a
17 liquor store on Atlantic Avenue in Long Beach, California.

18 26. On or about March 25, 2008, defendant DAVIS met with
19 defendant MONTGOMERY and the CI in defendant DAVIS' vehicle and
20 sold the CI approximately 82.6 grams of crack cocaine for \$1800.

21 27. On or about April 1, 2008, defendant DAVIS spoke with
22 the CI on the telephone and agreed to sell the CI one ounce of
23 crack cocaine.

24 28. On or about April 1, 2008, defendant DAVIS instructed
25 the CI to meet him in the same liquor store parking lot on
26 Atlantic Avenue in Long Beach, California, where they had met on
27 March 25, 2008.

28 29. On or about April 1, 2008, defendant DAVIS sold the CI
approximately 27.7 grams of crack cocaine for \$600.

1 COUNT TWO

2 [21 U.S.C. §§ 841(a)(1), (b)(1)(B)(iii)]

3 On or about March 6, 2008, in Los Angeles County, within the
4 Central District of California, defendants SHUNTA MONTGOMERY,
5 also known as "Squirrel," and DION DAVIS knowingly and
6 intentionally distributed 5 grams or more, that is, approximately
7 27.2 grams, of a mixture or substance containing cocaine base in
8 the form of crack cocaine, a schedule II narcotic drug controlled
9 substance.

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1 COUNT THREE

2 [21 U.S.C. §§ 841(a)(1), (b)(1)(A)(iii)]

3 On or about March 12, 2008, in Los Angeles County, within
4 the Central District of California, defendant SHUNTA MONTGOMERY,
5 also known as "Squirrel," knowingly and intentionally distributed
6 50 grams or more, that is, approximately 68.6 grams, of a mixture
7 or substance containing cocaine base in the form of crack
8 cocaine, a schedule II narcotic drug controlled substance.

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1 COUNT FOUR

2 [21 U.S.C. §§ 841(a)(1), (b)(1)(A)(iii)]

3 On or about March 18, 2008, in Los Angeles County, within
4 the Central District of California, defendants SHUNTA MONTGOMERY,
5 also known as "Squirrel," and DONYEA TOBIAS, also known as "Yea-
6 Yo," knowingly and intentionally distributed 50 grams or more,
7 that is, approximately 83.7 grams, of a mixture or substance
8 containing cocaine base in the form of crack cocaine, a schedule
9 II narcotic drug controlled substance.

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1 COUNT FIVE

2 [21 U.S.C. §§ 841(a)(1), (b)(1)(B)(iii)]

3 On or about March 19, 2008, in Los Angeles County, within
4 the Central District of California, defendant DONYEA TOBIAS, also
5 known as "Yea-Yo," knowingly and intentionally distributed 5
6 grams or more, that is, approximately 41.4 grams, of a mixture or
7 substance containing cocaine base in the form of crack cocaine, a
8 schedule II narcotic drug controlled substance.

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1 COUNT SIX
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[21 U.S.C. §§ 841(a)(1), (b)(1)(A)(iii)]

3 On or about March 25, 2008, in Los Angeles County, within
4 the Central District of California, defendants SHUNTA MONTGOMERY,
5 also known as "Squirrel," and DION DAVIS knowingly and
6 intentionally distributed 50 grams or more, that is,
7 approximately 82.6 grams, of a mixture or substance containing
8 cocaine base in the form of crack cocaine, a schedule II narcotic
9 drug controlled substance.

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1 COUNT SEVEN

2 [21 U.S.C. §§ 841(a)(1), (b)(1)(B)(iii)]

3 On or about April 1, 2008, in Los Angeles County, within the
4 Central District of California, defendant DION DAVIS knowingly
5 and intentionally distributed 5 grams or more, that is,
6 approximately 27.7 grams, of a mixture or substance containing
7 cocaine base in the form of crack cocaine, a schedule II narcotic
8 drug controlled substance.

9

10 A TRUE BILL

11 *IS*

12 _____
13 Foreperson

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15 THOMAS P. O'BRIEN
United States Attorney

16 *Thomas P. O'Brien*

17 CHRISTINE C. EWELL
18 Assistant United States Attorney
Chief, Criminal Division

20 ROBERT E. DUGDALE
21 Assistant United States Attorney
Chief, Violent & Organized Crime Section

23 ELIZABETH R. YANG
24 Assistant United States Attorney
Deputy Chief, Violent & Organized Crime Section

26 ELIZABETH CARPENTER
27 Assistant United States Attorney
Violent & Organized Crime Section